

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-10581 NMG

YVETTE LOCKHART-BEMBERY,)
Plaintiff)
VS.)
)
TOWN OF WAYLAND POLICE DEPARTMENT,)
ROBERT IRVING, in his capacity as CHIEF OF THE)
WAYLAND POLICE DEPARTMENT and)
DANIEL SAURO)
Defendants)

MOTION OF DEFENDANTS TO COMPEL DISCOVERY BY PLAINTIFF
PURSUANT TO RULE 37

The Defendants, Town of Wayland Police Department, Robert Irving, and Daniel Sauro, hereby move pursuant to Rule 37 of the Federal Rules of Civil Procedure, that this Court enter an Order compelling the plaintiff to respond to defendants' First Request for Production of Documents, and to Answer the First Request for Production of Documents addressed to them within twenty (20) days of an entry of an Order in this regard.

In support thereof, it will be noted that such discovery was served on the following days:

**First Request for Production of Documents addressed to the plaintiff,
Yvette Lockhart-Bemberry - July 6, 2004.**

Defendants' Counsel has conferred with opposing counsel pursuant to the Local Rules of this Court. Further, it is hereby certified that the defendants, have, in good faith, conferred or attempted to confer with the party not making the disclosure in an effort to secure that disclosure, without Court action.

Respectfully Submitted,
Defendants,
Town of Wayland Police Department, Robert
Irving, and in his capacity of Chief of the
Wayland Police Department Daniel Sauro,
By Their Attorney,

/s/ Jeremy I. Silverfine
Jeremy Silverfine, BBO# 542779
Leonard H. Kesten, BBO# 542042
BRODY, HARDOON, PERKINS & KESTEN
One Exeter Plaza, 12th Floor
Boston, MA 02116
(617) 880-7100

Dated: December 13, 2004

CERTIFICATE OF SERVICE

I, hereby certify that a true copy of the above document was served upon
all counsel of record by first class mail on December 13, 2004.

/s/ Jeremy I. Silverfine
Jeremy Silverfine